Secretary of State

Jason M. Gant

State Capitol | 500 East Capitol Avenue | Pierre, South Dakota 57501 | sdsos@state.sd.us | sdsos.gov

April 11, 2011

Curt Cartwright & Ralph Siemonsma
BHHBA
3121 W Chicago
Rapid City, SD 57702

Dear Gentlemen:

Our office is in receipt of your raffle request. The date of the filings is April 8, 2011. You may begin selling tickets 30 days after the filings, which would be May 8, 2011.

If there is any other way in which our office could assist you, please feel free to contact me at (605) 773-3537 or email me at Judy.Larson@state.sd.us. Thank you.

Sincerely,

Judy A. Larson

Judy A. Larson
Executive Assistant

3121 West Chicago
Rapid City, SD 57702
P: 605.348.7850
C: 605.393.5898
F: 605.348.7864
BlackHillsHomeBuilders.com

BLACK HILLS HOME BUILDERS ASSOCIATION

RECEIVED
APR - 8 2011
S.D. SEC. OF STATE

April 5, 2011

Mr. Jason Gant
Secretary of State
500 East Capitol Avenue
Pierre, SD 57501

Dear Mr. Gant:

The Black Hills Home Builders Build PAC committee would like to make known our intent to hold an Elk Hunt raffle. Per previous conversation between our Black Hills Home Builders Build PAC Secretary, Cheryl Bettmeng and your staff person Aaron Lorenzen, we have received notification that a raffle of this sort is an acceptable fundraiser under the Build PAC guidelines (see attached email).

This letter is to make known our intent to move forward with this raffle and request approval to hold such raffle as required in South Dakota Codified Law Section 22-25-25 (see attached).

Tickets will be printed as soon as approval is given. The winner will be drawn at the December 3, 2011 Black Hills Home Builders Christmas Party.

The cost of the Elk Hunt is $4,500. 200 Tickets will be sold for $100 each. This is a fundraiser for our Political Action Committee, with funds raised going into the Black Hills Home Builders Build PAC account.

Please let us know if you have any questions. We look forward to hearing from you. Thank you for your consideration in this matter.

Sincerely,

Curt Cartwright,
BHHBA Build PAC Chairman

Ralph Siemonsma,
BHHBA President

The Black Hills Home Builders Association, a progressive not-for-profit professional trade organization, serves as an advocate for those directly and indirectly involved in the building industry and focuses on creating an opportunity of home ownership for all.

From: <Aaron.Lorenzen@state.sd.us>
Subject: **RE: BHHBA: Black Hills Home Builders Build PAC Raffle**
Date: March 22, 2011 11:48:12 AM MDT
To: <cbettmeng@blackhillshomebuilders.com>

Cheryl,

After doing some extensive research into Title 12-27, I would be happy to inform you that I can find nothing regarding holding a raffle. I would say this is an allowable PAC function. I would remind you to make sure that the donations are clearly recorded as specified by law. A good rule of thumb is the more disclosure the better. Also please remember that it is any contributions over $100 in a calendar year that must be reported. If I can help in any other way, please let me know.

Aaron

-----Original Message-----
From: Cheryl Bettmeng [mailto:cbettmeng@blackhillshomebuilders.com]
Sent: Friday, March 18, 2011 6:58 PM
To: Lorenzen, Aaron
Subject: BHHBA: Black Hills Home Builders Build PAC Raffle

> Aaron,
>
> We are looking into the possibility of raffling off an Elk Hunt as a build pack fundraiser.
>
> We would sell the tickets for $100 a piece and would sell anywhere from 200-300 tickets.
>
> I know there isn't a 2011 guidelines book out yet, and I didn't see anything in the 2010
> Build PAC guidelines book that says we can't hold a raffle. However, I want to make sure
> that we can move forward with this raffle as a build pac fundraiser.
>
> Would this be within Build PAC guidelines to hold this fundraiser raffle?
>
> Cheryl Bettmeng
> Executive Vice President
> Black Hills Home Builders Association
> Ph. 605-348-7850
> Fax 605-348-7864
> cbettmeng@blackhillshomebuilders.com

From: "Paul Maggie" <Maggie.Paul@rcgov.org>
Subject: **Raffles**
Date: April 5, 2011 12:47:01 PM MDT
To: <cbettmeng@blackhillshomebuilders.com>

22-25-25. Bingo and lotteries permitted for restricted purposes--Conditions. The game, bingo, as defined in § 22-25-23, or lottery, as defined in § 22-25-24, may not be construed as gambling or as a lottery within the meaning of § 22-25-1, if:

(1) The bingo game or lottery is conducted by a bona fide congressionally chartered veterans' organization; a religious, charitable, educational, or fraternal organization; a local civic or service club; a political party; a volunteer fire department; a local industrial development corporation as defined in § 5-14-23; or a political action committee or political committee on behalf of any candidate for a political office which exists under the laws of the State of South Dakota;

(2) The proceeds therefrom do not inure to the benefit of any individual;

(3) No separate organization or professional person is employed to conduct the bingo game or lottery or assist therein;

(4) No compensation of any kind in excess of the state minimum wage per hour or sixty dollars, whichever is greater, in value is paid to any person for services rendered during any bingo session in connection with the conduct of the bingo game or in consideration of any lottery. However, the provisions of this subdivision do not apply to games or lotteries conducted in connection with any of the following events: a county fair conducted pursuant to § 7-27-3, the state fair conducted pursuant to chapter 1-21, or a civic celebration recognized by resolution or other similar official action of the governing body of a county, municipality, or village;

(5) No prize in excess of two thousand dollars is awarded at any one play of bingo;

(5A) The actual value of any lottery prize is stated before any chances for the lottery are sold. A lottery prize of a stated amount of dollars in value may be given to a person who sells a winning lottery ticket or share as long as the winning lottery ticket or share is selected at random;

(6) The organizations authorized under subdivision (1) of this section, before conducting a bingo game or before selling any chances for a lottery give thirty days' written notice of the time and place thereof to the governing body of the county or municipality in which it intends to conduct the bingo game or lottery, and the governing body does not pass a resolution objecting thereto. However, any organization that conducts a lottery and tickets or shares for such lottery are sold state-wide shall provide written notice of such

lottery pursuant to this subdivision only to the secretary of state and to the governing body where the drawing for such lottery is held. A municipality pursuant to § 9-29-5 may by ordinance prohibit within the municipality the sale of lottery tickets or shares for such lottery issued pursuant to this section; and

(7) No organization authorized to conduct a bingo game or lottery under subdivision (1) of this section may enter into any lease or agreement with any other person or organization to provide equipment or services associated with the conduct of a bingo game or lottery. However, this subdivision does not apply to any lease or agreement with a distributor licensed pursuant to §§ 22-25-28 to 22-25-51, inclusive, to provide bingo or lottery equipment and supplies.

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